A privilege money can’t buy

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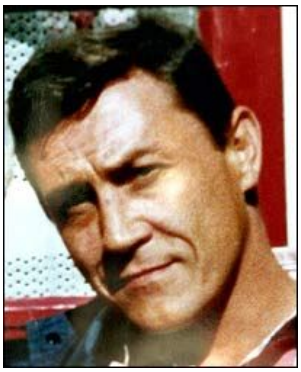
James Ashley – shot dead in his own home.



In the small hours of a December morning nearly eight years ago, a group of police officers burst into the South London home of a British Moslem, beat him gratuitously, and dragged him away in handcuffs.

In March 2009, he was awarded £60,000 damages against the Metropolitan Police. Yesterday, after barely an hour’s deliberation, a jury at Southwark Crown Court found four of the thugs who meted out this treatment not guilty of assault occasioning actual bodily harm. Because Babar Ahmad is not only a Moslem but a terrorist suspect – whatever that means – the real issue at the heart of this case is likely to receive scant attention, this is the fact that in many ways the police, on both sides of the Atlantic, and to some extent the world over, are considered above the law, not only by themselves and their superior officers, but by state lawyers, the courts, the judiciary, and even in many cases by the general public. This is because there are two types of police corruption: bent for self, and bent for the job.

In Twenty-First Century Britain, a police officer who is bent for self – ie “on the take” – will generally not be tolerated. Allegations of impropriety will be investigated methodically, and offenders will be dismissed or even prosecuted when the evidence demands it. But a police officer who is bent for the job, something that is also known as “noble cause corruption”, is a different matter. The so-called Independent Police Complaints Commission, the Crown Prosecution Service, the courts, even judges, will bend over backwards, and in many cases forwards, to ensure that police officers who tear up the rule book will never be held to account. The proof of this pudding is in the eating; Britain’s prisons are full of men from all backgrounds, from all religions and none; there are even fair numbers of businessmen and other wealthy individuals behind bars, but only a handful of bent coppers, and the majority of those are shipped off to HMP Ford or some other open prison where the conditions are more akin to a boarding school or even a holiday camp than a “nick”.

The brutalisation of Babar Ahmad and the failure to hold to account those responsible is the latest in a long line of such cases that goes back to the 1960s and before, although prior to the activities of “Tanky” Challenor, there exists scant documentation as to the full extent of police perfidy. One earlier case, which would be amusing if it were not so tragic, is that of George Roberts, who was tried at Glamorgan Assizes, Cardiff for the murder of seventy-eight year old Elizabeth Thomas. The *South Wales Evening Post* for March 24, 1953 reported that “Matters alleged to have been elicited from him could not possibly have been obtained”. The reason for this was given in the *Criminal Appeal Reports*, Roberts was said to have been “mute by the visitation of God”. Mr Justice Devlin solved the problem of explaining how the police had elicited a confession from a mute of low intelligence by directing the jury to find him not guilty.

Ten years later, the Challenor case could not be swept under the carpet quite so easily, although the powers-that-be did their best to try. Harold Gordon Challenor was a detective attached to a Central London police station; his forte was planting evidence on suspects, nothing so subtle as small amounts of controlled drugs, but offensive weapons, including bricks. Although most of the men Challenor framed were drawn from the criminal element and the lower strata of society, he made a big mistake when he attempted to frame Donald Rooum, a cartoonist of some repute, who was arrested at a demonstration and charged with possessing an offensive weapon. When he appeared in court, Rooum’s defence was able to demonstrate that he had no brick dust in his trouser pocket, which led to his acquittal, although another defendant, Apostolou, was convicted on essentially the same evidence.

By the time Challenor ended up in the dock, it was clear that he wasn’t simply bent but stark raving mad. It was also clear that he could not have functioned for so long in his condition without other, senior officers being aware of both his mental condition and of what he was doing. At trial, Challenor was found unfit to plead, although three junior officers who were tried with him were all convicted and gaoled, but the way the people he’d framed were treated subsequently was appalling, even after they were cleared on appeal.

Other cases involving not simply the framing of suspects or (as in the case of Rooum) totally innocent people but of actual torture to extract confessions continued to make the news on the rare occasions when it was impossible to cover them up completely. One of the most notorious was that of Derek Treadaway, who spent thirteen years in prison after being tortured into confessing to robbery and conspiracy to rob. In 1994, Treadaway was awarded £10,000, compensatory damages, and £40,000, exemplary damages by a judge who accepted that he had been tortured by officers from the West Midlands Serious Crime Squad. His claims were supported by medical evidence of asphyxiation.

The Director of Public Prosecutions declined to prosecute the officers concerned. Barbara Mills who was the first woman to hold this post, proved that gender is no barrier to being part of the old boy network. She was eventually forced to resign because her intransigence to act in even the most blatant cases of police corruption became

something of an embarrassment, although she was rewarded with a DBE in the 1997 Honours List. On her death last week, she received the customary glowing obituaries in the “quality” press.

In June 2006, between the shooting of James Ashley and the arrest of Babar Ahmad, there was another near fatal bungled home invasion by the British police. This time the Met targeted the home of another Moslem family, in Forest Gate, North London. Acting on information from an informant who turned out to be less than useless, once again they raided a domestic premises in the small hours. Police raids and arrests are often conducted early in the morning. There is a rationale behind this; at 6.30 or 7am, many people are still in bed or are not functioning at peak performance, so it makes sense to catch them off-guard, but there is really no justification ever in raiding a suspect at 3am unless there is an immediate threat to the safety either of someone on the premises or somewhere else. Moreover, if the suspect or suspects is/are as dangerous as the police often make them out to be, then clearly they would be better advised to arrest them in the street.

The June 2006 raid resulted in one man being shot in the chest, almost fatally. The victim and everyone at that address was later cleared of any involvement in any illegal activity, terrorist or otherwise.

The same can almost be said of Babar Ahmad, almost, because even though he has not been charged with any criminal offence in Britain, he has been behind bars continually since August 5, 2004 facing extradition to the United States accused of “supporting terrorism” which means what exactly? Apparently operating websites that urge Moslems to fight “a holy war”.

The case or lack thereof against Babar Ahmad is beyond the scope of the current article, but whatever its merits or outcome, it is clear that the jury at Southwark Crown Court believed that some people’s rights are more important than others. As did the jury that acquitted the assailants of Rodney King, as do the lawyers, judges and even governments that refuse persistently to investigate all but the most overwhelmingly documented cases of police perfidy, corruption or brutality, unless as in the case of Ian Tomlinson, Joe Public has videoed the incident concerned, and it absolutely cannot be ignored.

[The above op-ed was published originally June 4, 2011 with a file photograph; I have replaced that with one of James Ashley.]